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J1046 U.S. PTO

8-21-02

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Approved for use through 10/31/2002. OMB 0032

(Modified) PTO/SB/05 (8/00)

UTILITY PATENT APPLICATION TRANSMITTAL

Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

| | |
|--|--|
| Attorney Docket No. | 14010 |
| First Inventor or Application Identifier | Nikiforov |
| Title | Methods and Systems for Identifying Nucleotides... |
| Express Mail Label No. | EL544598626US |

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

| | | |
|----|--|--|
| 1. | *Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing) | |
| 2. | Applicant claims small entity status See 37 CFR 1.27 | |
| 3. | <input checked="" type="checkbox"/> Specification (preferred arrangement set forth below) Total Pages 23 | |
| | -Descriptive title of the invention -Cross References to Related Applications -Statement Regarding Fed sponsored R&D -Reference to sequence listing, a table, or a computer program listing appendix -Background of the Invention -Brief Summary of the Invention -Brief Description of the Drawings (if filed) -Detailed Description -Claim(s) -Abstract of the Disclosure | |
| 4. | <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) Total Sheets 7 | |
| | Oath or Declaration Total Pages | |
| | a. Newly executed (original or copy) | |
| | b. Unexecuted Oath or Declaration | |
| | c. Copy from a prior application (37 C.F.R. § 1.63(d)) (for continuation/divisional with Box 17 completed) | |
| | i. DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) Named in the prior application, see 37 C.F.R. §§1.63(d)(2) and 1.33(b). | |
| 6. | <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 | |

| | |
|----|--|
| 7. | CD-ROM or CD-R in duplicate, large table of Copmputer Program (Appendix) |
| 8. | <input checked="" type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) |
| a. | <input checked="" type="checkbox"/> Computer Readable Copy |
| b. | <input checked="" type="checkbox"/> Specification Sequence Listing on |
| | i. CD-ROM or CD-R (2 copies); or |
| | ii. <input checked="" type="checkbox"/> Paper |
| c. | <input checked="" type="checkbox"/> Statement verifying identity of above copies |

ACCOMPANYING APPLICATION PARTS

| | |
|-----|---|
| 9. | Assignment Papers (cover sheet & document(s)) |
| 10. | 37 C.F.R. §3.73(b) Statement Power of Attorney (when there is an assignee) |
| 11. | English Translation Document (if applicable) |
| 12. | Information Disclosure Statement Copies of IDS (IDS)/PTO-1449 Citations() |
| 13. | Preliminary Amendment |
| 14. | <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized) |
| 15. | Certified Copy of Priority Document(s) (if foreign priority is claimed) |
| 16. | <input checked="" type="checkbox"/> Other Request for Non-Publication |

17 If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment; or in an Application Data Sheet under 37 CFR 1.76:

| | | | |
|---------------------------------------|-------------------------------------|---|--------------------------------|
| <input type="checkbox"/> Continuation | <input type="checkbox"/> Divisional | <input type="checkbox"/> Continuation-in-Part (CIP) | of prior application No: _____ |
| Prior application information: | | Examiner | Group/Art Unit: |

For CONTINUATION OR DIVISIONAL only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5c, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

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| <input checked="" type="checkbox"/> Customer Number or Bar Code Label | 021569 | or | Correspondence Address below |
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| | | | |
|-----------|-------------------------|------------------|----------------|
| Name | Andrew L. Filler | Registration No. | 44,107 |
| Signature | <i>Andrew L. Filler</i> | Date | 2/20/02 |

CERTIFICATE OF EXPRESS MAILING under 37 CFR 1.10

| | | | |
|--|----------------------|-----------------|--------------------------|
| Express Mail Label No: | EL544598626US | Date of Deposit | February 20, 2002 |
| I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, DC 20231. | | | |
| Typed Name of Person Mailing Paper or Fee | Michelle Chan | Signature | <i>Michelle Chan</i> |

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02/20/02

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor Nikiforov

Title Methods and Systems for Identifying
Nucleotides by Primer Extension

Atty Docket Number 100/14010

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

2/20/02
Date

Andrew L. Filler
Signature

Andrew L. Filler, Reg. No. 44,107

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.